

**REMARKS**

Claims 3, 4, 5, 8 and 9 are pending. By this Response, claims 3, 4, 8 and 9 are amended. Reconsideration and allowance based on the above amendments and following remarks are respectfully requested.

**Prior Art Rejection**

The Office Action rejects claims 3-5, 8 and 9 under 35 U.S.C. §103(a) as being unpatentable over Toyofuku, et al. (US 2001/0048465) in view of Suzuki (US 5,724,579) and Thompson, et al. (US 5,930,514). This rejection is respectfully traversed.

The Office Action alleges that Toyofuku in combination with Suzuki teaches all the claimed features except for the erasing of all related images claimed in embodiments of the present invention. The Office Action provides Thompson to provide this teaching absent in Toyofuku and Suzuki. Applicants respectfully submit that the teachings of Toyofuku, Suzuki and Thompson, individually or when combined fail to teach all the claimed features as required.

Independent claims 3, 4, 8 and 9 have been amended to clarify the additional information that aides in the determination of whether the selected image relates to another image. The claims now recite the additional information includes the shooting mode in which the image is captured. Further, claims 1 and 6 have been amended to clarify the panoramic image as being “composed of at least two of the plurality of the captured images stored in the memory.”

Toyofuku teaches a photographing device that obtains images. The images can be classified into various groups and stored in the photographing device. A protection code may be associated with each of the digital images. When a user desires to erase an image and the digital

image includes the protection code, a warning is issued indicating that this particular image is protected. If no protection code is attached and the image is part of a panorama, a warning is issued that the image is part of the panoramic images. A user can then protect the image by the protection code or erase the image. The user performs this by manually selecting the image to be erased and independently erasing each image. See paragraphs 136 through 149.

Suzuki teaches an image processing apparatus that creates subordinate images from a single main image. The subordinate images are thinned or contracted images from a single main image. If a user desired, the subordinate images may be erased collectively or with the main image. See column 6, lines 1-5.

The Office Action states that “it is viewed by the Examiner that a panoramic image is a main image that is associated with several subordinate images.” See page 4 of the Office Action, paragraph 2. Applicants respectfully submit that as defined in applicant’s claims, the panoramic image is made up of at least two of the captured images. Suzuki teaches obtaining a single image, obtaining subordinate images from the single image and associating these images with the main image. Suzuki does not teach composing the main image from at least two captured images. In fact, Suzuki does not even teach composing the main image from the subordinate images only obtaining subordinate images form the main image.

Further, the panoramic image in the present invention is produced by combining a plurality of images taken panoramically. Therefore, it is not possible to produce a plurality of images from the panoramic image as the images captured are employed to create a single panoramic image. Thus, the relationship between the panoramic image and the plurality of

images composing the panoramic image is different from the relationship between the main image and the subordinate image, which is small in size as disclosed in Suzuki. Furthermore, in Suzuki, even if a subordinate image is deleted, the same subordinate image can be extracted again if the main image remains, because it is not a captured image. On the other hand, in the present invention, the panoramic image cannot be composed if some of the captured images composing the panoramic image are deleted.

Further, neither Toyofuku nor Suzuki teach the claimed determination device. In embodiments of the present invention, the determination device determines whether a selected image relates to at least another of the plurality of images. This is accomplished by using additional information that includes the shooting mode in which the image was captured. In Toyofuku, a header is added to the image that includes the file name, panorama number and frame number. See paragraphs 105 and 138. The shooting mode is not used in determining the relationship of the image to another image. In Suzuki all subordinate images are obtained from a single original image. Therefore, it is irrelevant in what shooting mode the single image was captured. Thus, Toyofuku and Suzuki do not teach or suggest determining whether an image relates to at least one of the plurality of images stored on a memory based on additional information that includes the shooting mode in which the image was captured, as recited in the embodiments of the present invention defined by independent claims 1, 4, 8 and 9.

Furthermore, Thompson teaches erasing related files stored in a computer. A file tracking module creates and maintains a database of files related to certain programs or systems. Although erasing of the related files can be performed in Thompson, the relationship of the file is

not determined based on a shooting mode of captured images. In fact, Thompson only concerns storing related programs and system files not images, let alone captured panoramic images or consecutively captured images. Since panoramic images or consecutively captured images can be independent of programs or systems, it is unclear how Thompson's file management and deletion program would function with these independent files, let alone in the photographing apparatus of Toyofuku or Suzuki.

Therefore, in view of the above, applicants respectfully submit that combination of Toyofuku, Suzuki and Thompson fail to teach or suggest, *inter alia*, a memory which stores a plurality of captured images and additional information concerning the images, the additional information including the shooting mode in which the image was captured; a determination device which reads the additional information concerning the selected image to be erased and determines whether or not the selected image to be erased relates to at least one of the plurality of images stored in the memory with reference to the read additional information; wherein the eraser erases the selected image and all the images relating to the selected image from the memory of the decision device decides to collect for the erased selected image and all the images relating to the selected image, as recited in claims 3 and 4.

Also, the combination of Toyofuku, Suzuki and Thompson fail to teach or suggest, *inter alia*, wherein the additional information represents whether or not the image concerning the additional information is a part of a panoramic image composed of at least two of the plurality of the captured images stored in the memory, as recited in claim 3 and wherein the additional information represents whether or not the image concerning the additional information is a part

of sequence of at least two of the plurality of images stored in the memory that were consecutively captured, as recited in claim 4.

The combination of Toyofuku, Suzuki and Thompson fail to teach or suggest, *inter alia*, reading an additional information concerning the image selected in the selecting step, the additional information including the shooting mode in which the image was captured; determining whether or not the selected image to be erased relates to at least one of the plurality of image stored in the memory with reference to the additional information read in the reading step ... erasing the selected image and all the images relating to the selected image from the memory if it is decided to collectively erase the selected image and all the images related to the selected image from the memory in the deciding step, as recited in claims 8 and 9.

Further, Toyofuku, Suzuki and Thompson fail to teach or suggest, *inter alia*, wherein the additional information represents whether or not the image concerning the additional information is a part of a panoramic image composed of at least two of the plurality of the captured images stored in the memory, as recited in claim 8 and wherein the additional information represents whether or not the image concerning the additional information is a part of a sequence of at least two of the plurality of images stored in the memory that were consecutively captured, as recited in claim 9.

In view of the above, applicants respectfully submit that each and every feature of the claims as required under prima facie case of obviousness has not been established. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

Conclusion

For at least these reasons, it is respectfully submitted that claims 3-5 and 8-9 are distinguishable over the cited art. Favorable consideration and prompt allowance are earnestly solicited.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Chad J. Billings (Reg. No. 48,917) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicant respectfully petitions for a one (1) month extension of time for filing a reply in connection with the present application, and the required fee of \$120.00 is attached hereto.

Application No.: 09/386,848

Docket No.: 0879-0240P

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

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Respectfully submitted,

By 

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